

APPEAL

**United States District Court
District of Massachusetts (Boston)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-10047-RCL-ALL**

Case title: USA v. Rodriguez

Date Filed: 02/19/2004

Assigned to: Judge Reginald C. Lindsay

Defendant

Luis Rodriguez (1)
also known as
One Eyed Luis (1)

represented by **Valerie S. Carter**
Carter & Doyle, LLP
Russia Wharf West
530 Atlantic Avenue, 3rd Floor
Boston, MA 02210
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

18:841(a)(1) DISTRIBUTION OF
COCAINE BASE
(1)

21:841(a)(1) Distribution of Cocaine
Base
(1s)

Disposition

The Court orders the defendant
committed to the custody of the Bureau
of Prisons for a term of 144 months.
Upon release, the defendant is placed
on supervised release for a term of 6
years with special conditions. The Court
further imposes a special assessment of
\$100

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints






None

Disposition**Plaintiff**

USA

represented by **John A. Wortmann, Jr.**
 United States Attorney's Office
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Date Filed	#	Docket Text
02/19/2004	 1	SEALED INDICTMENT as to Luis Rodriguez (1) count(s) 1. (Cummings, Mary) Additional attachment(s) added on 3/17/2004 (Diskes, Sheila). (Entered: 02/20/2004)
02/19/2004	 2	MOTION to Seal Case as to Luis Rodriguez by USA. (Cummings, Mary) (Entered: 02/20/2004)
02/19/2004	 3	Magistrate Judge Charles B. Swartwood : Electronic ORDER entered granting [2] Motion to Seal Case as to Luis Rodriguez (1) (Cummings, Mary) (Entered: 02/20/2004)
02/19/2004	 4	Arrest Warrant Issued as to Luis Rodriguez. (Cummings, Mary) (Entered: 02/20/2004)
02/19/2004	 5	Judge Reginald C. Lindsay : ORDER entered ORDER REFERRING CASE to Magistrate Judge Joyce London Alexander. Reason for referral: Pretrial Proceedings as to Luis Rodriguez (Cummings, Mary) (Entered: 02/20/2004)

03/03/2004	<u>8</u>	EXHIBIT/WITNESS LIST as to Luis Rodriguez (Brown, Rex) (Entered: 03/03/2004)
03/03/2004	<u>11</u>	CJA 23 Financial Affidavit by Luis Rodriguez (Brown, Rex) (Entered: 03/15/2004)
03/03/2004	<u>12</u>	NOTICE re: AUTOMATIC DISCLOSURE by Luis Rodriguez (Brown, Rex) (Entered: 03/15/2004)
03/05/2004	<u>9</u>	Judge Joyce London Alexander : ORDER entered ORDER OF DETENTION as to Luis Rodriguez. (Brown, Rex) (Entered: 03/09/2004)
03/09/2004	<u>10</u>	Judge Joyce London Alexander : ORDER entered CJA 20 as to Luis Rodriguez : Appointment of Attorney Valerie S. Carter for Luis Rodriguez. (Brown, Rex) (Entered: 03/09/2004)
03/15/2004		Notice of correction to docket made by Court staff. Correction: Docket Entry #11 corrected because: The docket entry contained the wrong filing date as to Luis Rodriguez (Brown, Rex) (Entered: 03/15/2004)
03/15/2004	<u>13</u>	Defendant's EX PARTE MOTION for Funds as to Luis Rodriguez . (Tebo, Susan) (Entered: 03/16/2004)
03/15/2004	<u>14</u>	Defendant's MOTION to Seal as to Luis Rodriguez, filed . (Tebo, Susan) (Entered: 03/16/2004)
03/16/2004	<u>15</u>	Defendant's MOTION to Seal as to Luis Rodriguez, filed . (Tebo, Susan) (Entered: 03/18/2004)
03/18/2004		Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>14</u> Motion to Seal as to Luis Rodriguez (1) (Hourihan, Lisa) (Entered: 03/23/2004)
03/18/2004		Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>13</u> Motion for Authorization of Services or Funds as to Luis Rodriguez (1) without prejudice. Counsel should provide details that would justify the expenditure of funds including a specific amount of the request. (Hourihan, Lisa) (Entered: 03/23/2004)
03/23/2004		Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>15</u> Motion to Seal as to Luis Rodriguez (1) (Hourihan, Lisa) (Entered: 03/23/2004)
03/23/2004	<u>16</u>	EX PARTE MOTION to Appoint Expert as to Luis Rodriguez . (Hourihan, Lisa) (Entered: 03/23/2004)
03/23/2004		Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>16</u> Motion to Appoint Expert as to Luis Rodriguez (1) (Hourihan, Lisa) (Entered: 03/23/2004)
03/24/2004	<u>17</u>	INFORMATION TO ESTABLISH PRIOR CONVICTION as to Luis Rodriguez (Attachments: # <u>1</u> Exhibit 1-3-NOT SCANNED)(Tebo, Susan) (Entered: 03/30/2004)
03/30/2004	<u>18</u>	Defendant's NOTICE re automatic disclosure as to Luis Rodriguez

		02/20/2004)
02/24/2004	5	MOTION to Unseal Case as to Luis Rodriguez by USA. (Smith3, Dianne) (Entered: 02/24/2004)
02/24/2004		Judge Joyce London Alexander : Endorsement on motion ORDER entered granting [5] Motion to Unseal Case as to Luis Rodriguez (1) (Smith3, Dianne) (Entered: 02/24/2004)
02/24/2004		Arrest of Luis Rodriguez (Brown, Rex) (Entered: 02/24/2004)
02/24/2004		Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Initial Appearance as to Luis Rodriguez held on 2/24/2004. CJA counsel Stephen Hrones stood in for provisional CJA counsel Valerie Carter. The Court informs the defendant of his rights and the charges. The defendant fills out a financial affidavit and requests counsel. The Court will appoint counsel upon approval of the financial affidavit. The government states the maximum penalty, the basis for detention and requests temporary detention pending the detention hearing. The Court allows the motion. The government files in open Court a motion for consolidation of detention hearing with Juan Conce. The Court allows the motion. Arraignment set for 3/3/2004 10:30 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. Detention Hearing set for 3/3/2004 10:30 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) Modified on 3/4/2004 (Brown, Rex). (Entered: 03/03/2004)
02/24/2004	7	MOTION to Consolidate for Detention Proceedings and Submission of Detention Affidavits to Luis Rodriguez by USA. (Brown, Rex) Additional attachment(s) added on 3/3/2004 (Brown, Rex). (Entered: 03/03/2004)
02/24/2004		Judge Joyce London Alexander : Electronic ORDER entered granting 7 Motion for Detention as to Luis Rodriguez (1) (Brown, Rex) (Entered: 03/03/2004)
02/27/2004	6	Arrest Warrant Returned Executed on 2/25/04. as to Luis Rodriguez. (Tebo, Susan) (Entered: 03/01/2004)
03/03/2004		Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Defense Counsel files the financial affidavit in open court. The Court ORDERS defense counsel Valerie Carter appointed. Arraignment as to Luis Rodriguez (1) Count 1 held on 3/3/2004. The Court informs the defendant of his rights and the charges. The government states the maximum penalty. The defendant pleads not guilty. Defense Counsel files in open court a Notice of automatic disclosure. Detention Hearing as to Luis Rodriguez held on 3/3/2004. The government and defense offer evidence. The government and defense rest. The government and defense offer oral argument. The Court hereby ORDERS the defendant DETAINED pursuant to 18 USC 3142 (e). Order to Issue. Initial Status Conference set for 4/14/2004 02:30 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) (Entered: 03/03/2004)

		(Tebo, Susan) (Entered: 04/01/2004)
04/14/2004	●	Set/Reset Hearings as to Luis Rodriguez : Initial Status Conference set for 4/15/2004 10:30 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 04/30/2004)
04/15/2004	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Initial Status Conference as to Luis Rodriguez held on 4/15/2004. The government shall file a joint motion for any applicable periods of excludable delay. Interim Status Conference set for 5/27/2004 11:00 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) (Entered: 04/30/2004)
04/15/2004	20	JOINT INITIAL STATUS REPORT by USA, Luis Rodriguez as to Luis Rodriguez (Brown, Rex) (Entered: 04/30/2004)
04/20/2004	19	ASSENTED TO MOTION To Exclude Time from 4/15/04 to 5/27/04 as to Luis Rodriguez by USA. (Stanhope, Don) (Entered: 04/26/2004)
04/30/2004	●	Judge Joyce London Alexander : Electronic ORDER entered granting 19 Motion to Exclude as to Luis Rodriguez (1)pursuant to this Court's 4/15/04 ruling (oral) on the oral motion by the parties to exclude the time period. (Brown, Rex) (Entered: 04/30/2004)
04/30/2004	21	Judge Joyce London Alexander : ORDER entered REPORT AND ORDER on Initial Status Conference as to Luis Rodriguez. Interim Status Conference set for 5/27/2004 11:00 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 04/30/2004)
05/06/2004	22	Judge Joyce London Alexander : ORDER entered ORDER ON EXCLUDABLE DELAY as to Luis Rodriguez Time excluded from 4/15/04 until 5/27/04. (Brown, Rex) (Entered: 05/06/2004)
05/13/2004	23	EX PARTE MOTION for funds as to Luis Rodriguez . Please note...#23 was deleted and re-docketed 5/19/04(Catino, Theresa) (Entered: 05/19/2004)
05/27/2004	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Interim Status Conference as to Luis Rodriguez held on 5/27/2004. The parties will file a joint motion for any applicable periods of excludable delay. Final Status Conference set for 7/14/2004 11:30 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) (Entered: 06/03/2004)
06/07/2004	●	Judge Joyce London Alexander : Electronic ORDER entered granting [23] Motion for funds as to Luis Rodriguez (1). (Brown, Rex) (Entered: 07/14/2004)
07/12/2004	24	Assented To MOTION to Continue Final Status Conference and to Exclude Time From Speedy Trial Act Computationsas to Luis Rodriguez by USA. (Stanhope, Don) (Entered: 07/13/2004)

07/13/2004	●	Judge Joyce London Alexander : Electronic ORDER entered granting 24 Motion to Continue as to Luis Rodriguez (1). The matter is continued to July 20, 2004, at 3:15 PM. (Brown, Rex) (Entered: 07/14/2004)
07/20/2004	●25	Letter (non-motion) regarding status conference as to Luis Rodriguez (Levitt, Peter) (Entered: 07/20/2004)
07/20/2004	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Final Status Conference as to Luis Rodriguez not held on 7/20/2004. Prior to the hearing, the government and attorney Valerie Carter's office informs the Court that Counsel for the defendant is not available for case due to medical emergency. The Court continues the matter for Final Status Conference until a date when counsel is next available. (Tape #N/A.) (Brown, Rex) (Entered: 09/24/2004)
07/28/2004	●26	MOTION for Excludable Delay to as to Luis Rodriguez by USA. (Levitt, Peter) (Entered: 07/28/2004)
09/24/2004	●27	NOTICE OF RESCHEDULING as to Luis Rodriguez Final Status Conference set for 10/5/2004 03:15 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 09/26/2004)
10/05/2004	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Final Status Conference as to Luis Rodriguez held on 10/5/2004. Order to issue. Whereas all pretrial matters referred to the Magistrate Judge by the District Judge have been resolved, the case is hereby returned to the District Judge. (Tape #Digital Recording.) (Brown, Rex) (Entered: 10/05/2004)
10/14/2004	●28	SUPERSEDING INDICTMENT as to Luis Rodriguez (1) count(s) 1s. (Gawlik, Cathy) (Entered: 10/15/2004)
10/14/2004	●29	Judge Reginald C. Lindsay : ORDER entered ORDER REFERRING CASE to Magistrate Judge Joyce London Alexander Reason for referral: pretrial proceedings re: Superseding Indictment as to Luis Rodriguez (Gawlik, Cathy) (Entered: 10/15/2004)
10/22/2004	●30	NOTICE OF HEARING as to Luis Rodriguez Arraignment set for 10/27/2004 10:00 AM in Courtroom 22 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 10/22/2004)
10/27/2004	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Arraignment as to Luis Rodriguez (1) Count 1,1s held on 10/27/2004. Whereas all pretrial matters referred to the Magistrate Judge by the District Judge have been resolved, the case is hereby returned to the District Judge. (Tape #Digital Recording.) (Brown, Rex) (Entered: 10/27/2004)
11/02/2004	●31	NOTICE OF HEARING as to Luis Rodriguez Pretrial Conference set for 11/30/2004 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 11/02/2004)
11/02/2004	●32	MOTION for Excludable Delay to as to Luis Rodriguez by USA. (Levitt,

		Peter) (Entered: 11/02/2004)
11/03/2004	32	Judge Reginald C. Lindsay : Electronic ORDER entered granting 32 Motion to Exclude as to Luis Rodriguez (1) (Hourihan, Lisa) (Entered: 11/03/2004)
11/03/2004	33	Judge Reginald C. Lindsay : ORDER entered ORDER ON EXCLUDABLE DELAY as to Luis Rodriguez Time excluded from 11/2/04 until 11/30/04. (Hourihan, Lisa) (Entered: 11/03/2004)
11/30/2004	34	Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay :Pretrial Conference as to Luis Rodriguez held on 11/30/2004. Counsel request time to try to get state court convictions vacated. Status Conference set for 3/10/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. All time excluded from 11/30/04 - 3/10/05 in the interest of justice to give counsel time to challenge state court convictions that are a predicate for a mandatory sentence.(Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 11/30/2004)
11/30/2004	35	Judge Reginald C. Lindsay : ORDER entered ORDER ON EXCLUDABLE DELAY as to Luis Rodriguez Time excluded from 11/30/04 until 3/10/05 for reasons stated on the record at the pretrial conference. (Hourihan, Lisa) (Entered: 11/30/2004)
01/05/2005	36	Judge Joyce London Alexander : Electronic ORDER entered granting 26 Motion to Exclude as to Luis Rodriguez (1) (Brown, Rex) (Entered: 01/30/2005)
01/05/2005	37	Judge Joyce London Alexander : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Luis Rodriguez Time excluded from 5/27/04 until 7/20/04. Time excluded from 7/20/04 until 10/5/04. (Brown, Rex) (Entered: 01/30/2005)
01/05/2005	38	Judge Joyce London Alexander : ORDER entered. REPORT AND ORDER on Final Status Conference as to Luis Rodriguez (Brown, Rex) (Entered: 01/30/2005)
03/10/2005	39	Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay :Status Conference as to Luis Rodriguez held on 3/10/2005. Defendant to enter a change of plea on 4/14/05, if Defendant does not enter change of plea a trial date will be scheduled at that time. All time exclude from 3/10/05 to 4/14/05. (Court Reporter D. Joyce.) (Stanhope, Don) (Entered: 03/16/2005)
03/10/2005	40	Set/Reset Hearings as to Luis Rodriguez: Change of Plea Hearing set for 4/14/2005 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. Any written plea agreement to be filed 3 business days prior to hearing. (Stanhope, Don) (Entered: 03/16/2005)
03/10/2005	41	Judge Reginald C. Lindsay : Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Luis Rodriguez Time excluded from 3/10/05 until 4/14/05. (Stanhope, Don) (Entered: 03/16/2005)
03/16/2005	42	Defendant's MOTION to File Under Seal as to Luis Rodriguez.

		(Stanhope, Don) (Entered: 03/17/2005)
03/30/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>35</u> Motion to Seal as to Luis Rodriguez (1) (Hourihan, Lisa) (Entered: 03/30/2005)
03/30/2005	●	SEALED MOTION as to Luis Rodriguez. (Hourihan, Lisa) (Entered: 03/30/2005)
03/30/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered denying [] Sealed Motion as to Luis Rodriguez (1). Reason for denial will be mailed to counsel for Luis Rodriguez. (Hourihan, Lisa) (Entered: 03/30/2005)
04/08/2005	● <u>36</u>	MOTION for Reconsideration as to Luis Rodriguez. (Stanhope, Don) (Entered: 04/12/2005)
04/13/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>36</u> Motion for Reconsideration as to Luis Rodriguez (1). The Court is not persuaded that such an examination is necessary or appropriate. (Stanhope, Don) (Entered: 04/13/2005)
04/14/2005	●	Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay :Change of Plea Hearing as to Luis Rodriguez held on 4/14/2005. Defendant retracts previous plea of not guilty and enters plea of guilt to Count I of the super-seding indictment. Court finds factual basis, the plea is accepted and entered by Luis Rodriguez (1) Guilty Count 1s. (Court Reporter Lee Marzilli.) (Stanhope, Don) (Entered: 04/14/2005)
04/14/2005	● <u>37</u>	Judge Reginald C. Lindsay : ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Luis Rodriguez Sentencing set for 7/6/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Stanhope, Don) (Entered: 04/14/2005)
05/10/2005	● <u>38</u>	Emergency MOTION for Medical Treatment <i>and for Order Directing Bureau of Prisons to Transfer Defendant to Devens</i> as to Luis Rodriguez. (Carter, Valerie) (Entered: 05/10/2005)
05/11/2005	● <u>39</u>	Judge Reginald C. Lindsay : ORDER entered. Order Pursuant to Motion for Order Directing Bureau of Prisons to Take Custody of Defendant. granting <u>38</u> Emergency Motion for Medical Treatment (Stanhope, Don) (Entered: 05/11/2005)
05/31/2005	● <u>40</u>	MOTION to Continue <i>sentencing</i> as to Luis Rodriguez. (Carter, Valerie) (Entered: 05/31/2005)
06/01/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>40</u> Motion to Continue as to Luis Rodriguez (1) (Hourihan, Lisa) (Entered: 06/01/2005)
06/01/2005	●	Set/Reset Hearings as to Luis Rodriguez: Sentencing set for 8/3/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 06/01/2005)

06/09/2005	41	Letter to Judge Lindsay from David Winn, Warden dated 5/27/05 re: requesting an extension of 45 days to complete the assessment and prepare a report for the Court. (Hourihan, Lisa) (Entered: 06/09/2005)
06/09/2005		Judge Reginald C. Lindsay : Electronic ORDER entered. The Bureau of Prisons has requested that the court extend the time within which the Bureau must report to the court regarding the medical status of the defendant. Upon consideration of that request, the court orders that the time within which the Bureau must make its report to the court is hereby extended to August 1, 2005. The clerk shall reschedule the date for the sentencing of the defendant from 8/3/05 to an available date at the end of August or the beginning of September, 2005. (Hourihan, Lisa) (Entered: 06/09/2005)
06/09/2005		Set/Reset Hearings as to Luis Rodriguez: Sentencing set for 9/7/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 06/09/2005)
08/18/2005	42	MOTION for Order as to Luis Rodriguez. (Carter, Valerie) (Entered: 08/18/2005)
08/29/2005	43	SENTENCING MEMORANDUM by Luis Rodriguez (Attachments: # 1 # 2 # 3)(Carter, Valerie) (Entered: 08/29/2005)
09/07/2005	44	SENTENCING MEMORANDUM by USA as to Luis Rodriguez (Levitt, Peter) (Entered: 09/07/2005)
09/07/2005		Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay : Sentencing Hearing. Defendant requests a continuance to have a medical evaluation of the defendant independent of Devens. This matter is to be continued until a second opinion is issued either from Devens or a private physician. Counsel to work on proposed order to have the defendant moved to Devens. (Court Reporter S. Killian.) (Hourihan, Lisa) (Entered: 09/08/2005)
09/08/2005		Judge Reginald C. Lindsay : Electronic ORDER entered finding as moot 42 Motion for Order as to Luis Rodriguez (1) (York, Steve) (Entered: 09/08/2005)
12/05/2005	45	MOTION to <i>intervene</i> as to Luis Rodriguez. (Carter, Valerie) (Entered: 12/05/2005)
12/08/2005		ELECTRONIC NOTICE OF HEARING as to Luis Rodriguez Sentencing set for 12/19/2005 11:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 12/08/2005)
12/15/2005	46	MOTION to Continue as to Luis Rodriguez by USA. (Levitt, Peter) (Entered: 12/15/2005)
12/19/2005		Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay : Sentencing Hearing. Court determines the Total Offense Level to be 31 and the Criminal History Category to be VI. Issue of defendant's medical condition raised before the Court. Defendant to sign waivers for medical records to be turned over to the Government. Court to have own

		medical expert examine the defendant. Matter continued until evaluation completed. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 12/20/2005)
01/09/2006	●	ELECTRONIC NOTICE OF HEARING as to Luis Rodriguez Sentencing set for 3/14/2006 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 01/09/2006)
03/07/2006	●	NOTICE OF RESCHEDULING as to Luis Rodriguez Sentencing set for 3/14/2006 02:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (NOTE THIS IS A TIME CHANGE ONLY) Also, the sentencing is being changed to a status conference.(Hourihan, Lisa) (Entered: 03/07/2006)
03/14/2006	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Status Conference as to Luis Rodriguez held on 3/14/2006. The Court reports that Dr. Gross is reviewing the medical records submitted to him. Court to prepare Order to have Dr. Gross perform evaluation and the defendant with testing. Defendant and Government to work on getting the defendant's releases for his medical records. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 03/15/2006)
03/16/2006	47	Judge Reginald C. Lindsay : ORDER of Appointment of Medical Expert. (Lindsay, Reginald) (Entered: 03/16/2006)
03/17/2006	48	MOTION Modify Order appointing medical expert as to Luis Rodriguezby USA. (Wortmann, John) (Entered: 03/17/2006)
03/17/2006	49	Letter from Valerie S. Carter as to Luis Rodriguez (York, Steve) (Entered: 03/20/2006)
03/20/2006	50	MOTION to Seal as to Luis Rodriguezby USA. (York, Steve) (Entered: 03/20/2006)
03/20/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered as to <u>48</u> MOTION of the United States Requesting that the Order Appointing Medical Expert be Modified. The court modifies the order in question in this respect: the written report required of the court's expert by the order may be disclosed to the Bureau of Prisons and to any medical consultant or expert engaged by the Department of Justice or by the defendant to evaluate or comment upon the opinions and conclusions stated in the report. (Lindsay, Reginald) (Entered: 03/20/2006)
03/22/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>50</u> Motion to Seal as to Luis Rodriguez (1) (York, Steve) (Entered: 03/22/2006)
04/03/2006	52	Emergency MOTION for Medical Exam as to Luis Rodriguez. (Carter, Valerie) (Entered: 04/03/2006)
04/03/2006	53	Opposition by USA as to Luis Rodriguez re <u>52</u> Emergency MOTION for Medical Exam (Wortmann, John) (Entered: 04/03/2006)
04/04/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>52</u>

		Motion for his Counsel to Attend Medical Exam as to Luis Rodriguez (1). Dr. Gross is the Court's expert and the Court seeks his opinion unaided by assistance of counsel. (Hourihan, Lisa) (Entered: 04/04/2006)
05/12/2006	54	Invoice from Court's Appointed Expert. (York, Steve) (Entered: 05/12/2006)
05/17/2006		ELECTRONIC NOTICE OF HEARING as to Luis Rodriguez Sentencing set for 6/21/2006 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 05/17/2006)
05/18/2006	55	MOTION for an Expedited Sentencing or, in the alternative, for temporary relocation out of PCCF and into a safer environment as to Luis Rodriguez. (York, Steve) (Entered: 05/18/2006)
05/23/2006	56	MOTION for Medical Exam <i>Follow up Questioning</i> as to Luis Rodriguez. (Carter, Valerie) (Entered: 05/23/2006)
05/24/2006	57	MOTION to Seal as to Luis Rodriguezby USA. (York, Steve) Additional attachment(s) added on 5/24/2006 (York, Steve). (Entered: 05/24/2006)
05/24/2006		Judge Reginald C. Lindsay : Electronic ORDER entered granting 55 Motion to Expedite as to Luis Rodriguez, The motion is allowed only to the change in the sentencing date (1); granting 56 Motion for Medical Exam as to Luis Rodriguez (1) (Hourihan, Lisa) Modified on 5/25/2006 (Hourihan, Lisa). (Entered: 05/24/2006)
05/24/2006		Set/Reset Hearings as to Luis Rodriguez: Sentencing set for 6/27/2006 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 05/24/2006)
05/26/2006	59	Defendant's MOTION to Seal Document - Reply to Government's Response Regarding Defendant's Request to be Moved - as to Luis Rodriguez, filed. (Costello, Helen) (Entered: 05/26/2006)
06/23/2006	61	MOTION for Release from Custody as to Luis Rodriguez. (Carter, Valerie) (Entered: 06/23/2006)
06/25/2006	62	MOTION grant defendant third point for acceptance as to Luis Rodriguezby USA. (Wortmann, John) (Entered: 06/25/2006)
06/26/2006	63	MOTION to Seal as to Luis Rodriguez. (York, Steve) (Entered: 06/27/2006)
06/26/2006	64	Rodriguez Opposition to the Government's Summary of Medical Records (York, Steve) (Entered: 06/27/2006)
06/26/2006	65	Rodriguez Reply to Government's Opposition to Motion for release (York, Steve) (Entered: 06/27/2006)
06/26/2006	67	MOTION to Seal as to Luis Rodriguezby USA. (York, Steve) (Entered: 06/28/2006)
06/26/2006		Judge Reginald C. Lindsay : Electronic ORDER entered granting 67 Motion to Seal as to Luis Rodriguez (1) (York, Steve) (Entered: 06/28/2006)

		06/28/2006)
06/27/2006	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay : Continuation of Evidentiary Hearing as to Luis Rodriguez held on 6/27/2006, and Sentencing held on 6/27/2006 for Luis Rodriguez (1) Count 1s. John Wortmann for the Government and Valerie Carter for the defendant. Examination of Dr. Paul T. Gross. Examination of Dr. Sandra Howard. Arguments. The Court orders the defendant committed to the custody of the Bureau of Prisons for a term of 144 months. Upon release, the defendant is placed on supervised release for a term of 6 years with special conditions. The Court further imposes a special assessment of \$100. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 06/27/2006)
06/28/2006	● 66	MOTION to Dismiss <i>original indictment</i> as to Luis Rodriguez by USA. (Wortmann, John) (Entered: 06/28/2006)
06/28/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting 63 Motion to Seal as to Luis Rodriguez (1) (York, Steve) (Entered: 06/28/2006)
07/06/2006	● 70	NOTICE OF APPEAL by Luis Rodriguez Filing fee (fee not paid). NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerk/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 7/26/2006. (Carter, Valerie) Modified on 7/7/2006 (York, Steve). (Entered: 07/06/2006)